

**REMARKS**

The Applicants wish to express their gratitude for the courtesies extended by the Examiner in the Interview conducted on January 13, 2005. The foregoing amendments and following remarks are consistent with the discussions in the Interview.

Claims 1 and 3-6 are currently pending in the present application, with claims 7-9 standing withdrawn pursuant to election/restriction requirement.

**Response to Pending Rejections**

Section 112, Second Paragraph: In response to the pending § 112, second paragraph rejection, the Applicants have amended the term “broad faces” to “planar faces.” As discussed in the Interview, use of the word “planar” makes clear that it is not a peripheral edge of the plate that is impinged by the reducing agent. The Applicants respectfully submit that when properly read in the context of the specification and the figures, which describe and show the reducing agent impinging a planar face of the claimed baffle plate, one of ordinary skill in the art will readily understand, *i.e.*, find definite, the scope of the claims.

As to the antecedent basis rejection regarding “the baffle plate” in claim 3, the Applicants have amended claim 1 to replace the word “deflector” with “baffle” throughout. This change provides the antecedent basis for claim 3.

Reconsideration and withdrawal of the pending § 112 rejections is respectfully requested.

Response to § 102 and § 103 Rejections: Claims 1-3 and 5-6 stand rejected under 35 U.S.C. § 102(b) as anticipated by EPO patent document no. EP 0 555 746 (“EP 0 555 746”). Claim 4 stands rejected under 35 U.S.C. § 103(a) as unpatentable over this reference.

The Applicants have amended pending claim 1 and withdrawn claim 7 to further clarify the arrangement of the present invention’s deflector plate. As discussed in the Interview, claim 1 now recites the heat source in the exhaust gas comprises “a single baffle plate … oriented with its planar faces parallel to a direction of flow of the exhaust gas,” and the reducing agent is directed “toward the single baffle plate … at a substantially perpendicular angle onto one of the planar faces.” As discussed in the Interview, the direct impinging of reducing agent substantially perpendicular to a planar face of a single plate aligned with the exhaust gas flow is neither disclosed or suggested by the EP 0 555 746 reference’s tubular multi-plate bundle which receives a reducing agent injected upstream of the bundle at a front end of the bundle. Accordingly, reconsideration and withdrawal of the pending § 102(b) and § 103(a) rejections of claims 1, 3-6 is respectfully requested.

### CONCLUSION

The Applicants respectfully submit that amended claims 1 and 3-6 are in condition for allowance. Early and favorable consideration, and issuance of a Notice of Allowance for these claims is respectfully requested.

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this

should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #095309/48876US).

Respectfully submitted,

February 1, 2005



Donald D. Evenson  
Registration No. 26,160  
Mark H. Neblett  
Registration No. 42,028

CROWELL & MORING, LLP  
P.O. Box 14300  
Washington, DC 20044-4300  
Telephone No.: (202) 624-2500  
Facsimile No.: (202) 628-8844